IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 965 of 2007

M/S.ASHOK KOTHARI & CO.,BALOTRA
V/S
KHADI AUDHY.UTPA.SAHKARI SAMITI & ORS.

Mr. RAKESH ARORA, for the appellant / petitioner

Date of Order : 1.5.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

By the impugned order, the application of the petitioner filed under Order 7 Rule 11 and under Order 6 Rule 17 has been dismissed. In my view, the pleading sought to be added by way of amendment has rightly been refused to be allowed by way of amendment. However, learned counsel for the petitioner submits that the pleading sought to be raised is a pure question of law, and therefore, it could be raised at any stage. If that be the position, obviously the learned Appellate Court while hearing the appeal shall take into consideration that contention. In these circumstances, the impugned order does not require any interference. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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